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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,380	12/21/2001	Richard N. Blazey	83320F-P	1183

7590

12/07/2004

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EXAMINER

LU, KUEN S

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/027,380	BLAZEY, RICHARD N.	
	Examiner	Art Unit	
	Kuen S Lu	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendments

1. The Action is responsive to the Applicant's Amendments, filed on July 8, 2004.
2. In responding to Applicant's Amendments made to the claims where new issues relating to "stored object file" was introduced, the Examiner has created this Office Action for Final Rejection (hereafter "the Action") as shown next.
3. As for the Applicant's Remarks on claim rejections, filed on July 8, 2004, has been fully considered by the Examiner, please see discussion in the section ***Response to Arguments***, following the Office Action for Final Rejection.

Specification

4. The disclosure is objected to because of the following informalities: At Page 1, [0004] where "U.S. Pat. No. 5,784,069 to Morimoto" seems to be a typo. Based on the Examiner's search, the patent was issue to Daniels et al. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1, 7, 19 and 20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. In this case, the subject matter "stored object file" whose features are related to items in the claims is not described either in the application disclosure or in the co-pending application 09/640938.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-9 and 19-20 are rejected under U.S.C. 102(e) as anticipated by Holbrook (U.S. Publication 2002/0152222).

As per claims 1, 7 and 19-20, Holbrook teaches the following:

"a) providing a first display screen having a first plurality of pre-defined selection items relating to features of a stored file" (See Fig. 9, element 900, Figs. 5-6, Page 7, [0092], Page 8, [0100] and Page 15, [0166] wherein Holbrook's web page file is displayed to show a first plurality of predefined selection items, vehicles, recreation, sports and auctions related to the file is equivalent to Applicant's providing a first display screen having a first plurality of pre-defined selection items relating to features of a stored file);

"b) enabling a user to choose one of the said predefined selection items for entering into a predetermined searchable field in said searchable database and is associated

with said stored object file or going to a next display screen for presenting a next set of predefined selection items” (See Fig. 9, element 900, Figs. 5-6, Page 7, [0092], Page 8, [0100] and Page 15, [0166] wherein Holbrook’s Fig. 5, element 505-cars is clicked and window 201, elements 202-204 of Fig. 6 are popped up to display data in the predetermined fields where data is searchable from database is equivalent to Applicant’s enabling a user to choose one of the said predefined selection items for entering into a predetermined searchable field in said searchable database and is associated with said stored object file or going to a next display screen for presenting a next set of predefined selection items); and

“c) enabling said user to repeat step (b) until all desired selections have been made for entering at least one of said predefined selection items into said predetermined searchable field of said searchable database” (See Figs. 9, 5-6 and 33, Page 7, [0092], Page 8, [0100] and Page 15, [0166] wherein Holbrook’s a predefined selection item is clicked for showing subcategories available for user’s next level of selection for information of a subcategory, and further data elements may be imported from database via database query engine).

As per Claim 2, Holbrook teaches “selection items are selection buttons” (See Fig. 5, elements 506s wherein Holbrook’s recreation, vehicles, sports and auctions are the buttons for selecting items is equivalent to Applicant’s selection items are selection buttons).

As per Claim 3, Holbrook teaches "selection items are linked text blocks" (See Figs. 5 and 9, Page 7, [0092] and Page 8, [0100] wherein Holbrook's selection item shopping is linked to web page block 900 is equivalent to Applicant's selection items are linked text blocks).

As per Claim 4, Holbrook teaches "selection items are linked regions on a screen" (See Fig. 5, elements 509, 506s and 520s wherein Holbrook's items shopping, recreation, [cars, slot cars, radio control] are linked regions on a screen is equivalent to Applicant's selection items are linked regions on a screen).

As per Claim 5, Holbrook teaches "at least one said selection items is labeled with a text label" (See Fig. 5 wherein Holbrook's elements 506s are selection items labeled with text labels vehicles, sports, auctions and recreation is equivalent to Applicant's at least one said selection items is labeled with a text label).

As per Claim 6, Holbrook teaches "selection items is labeled with a graphic image" (See Fig. 16 Holbrook's image elements is equivalent to Applicant's selection items is labeled with a graphic image).

As per Claim 8, "entering more than one selection item into the same said predetermined field of said database" (See Fig. 5 wherein Holbrook's recreation field has three selectable items cars, slot cars and radio control is equivalent to Applicant's

entering more than one selection item into the same said predetermined field of said database).

As per Claim 9, Holbrook teaches "selecting said selection item using a mouse" (See Fig. 5, elements 504- 506 wherein Holbrook's selectable items are clicked to select is equivalent to Applicant's selecting said selection item using a mouse).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holbrook (U.S. Publication 2002/0152222) as applied to claims 1-9 and 19-20, and further in view of Florance et al. (U.S. Publication 2002/0065739, hereafter "Florance").

As per Claim 10, Holbrook teaches multiple levels of selecting items involving database data as described in previously for claims 1, 7 and 19-20 rejection.

Holbrook does not specifically teach selecting a selection item using a touch screen.

However, Florance teaches activating a selection from the menu by touching the screen at Page 17, [0207], lines 6-11.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Florance's reference with Holbrook' by implementing touch screen for activating a selection from the menu because by using the latest technology would have continuously improved data collection, enhanced sales efforts and service capabilities, and controlled costs as the marketplace framework and unified data model is built.

As per Claim 11, Florance further teaches activating a selection from the menu by voicing a command at Page 17, [0207], lines 6-11.

11. The prior art made of record

A. U.S. Publication 2002/0065739

F. U.S. Publication 2002/0152222

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

B. U.S. Publication 2002/0156779

C. U.S. Publication 2002/0063901

D. U.S. Publication 2003/0130924

E. U.S. Publication 2002/0184117

U. Oracle® Applications User's Guide, Release 11, March 1988x, ORACLE®

Response to Arguments

12. At Page 6, the Applicants' arguments filed on July 8, 2004 concerning Examiner's earlier objection to drawings because of text labels do not attach to the figure elements. The Examiner appreciated the comment and agreed to withdraw the objection.

13. The Applicants' arguments filed on July 8, 2004 have been fully considered but, excepting the correction to the Examiner's objection to the drawings, they are not persuasive, for the Examiner's response, please see discussion below:

a). At Pages 6-7, claims 1, 7, 12 and 19-20, Applicant argued that the OraRep reference does not teach "object file is associated with various selectable items", "predefined selection items relating to features of a stored object" and "selectable items are put n a predefined searchable field".

As to the above argument a), the Examiner respectfully disagreed. First of all, the subject matters "object file" and "stored object" are not described in the application disclosure or in the cited co-pending application 09/640,938. As for the amendment to all independent claims, specifically relating to "object file", the Examiner introduced the Holbrook reference for rejecting the claims. Please refer to the Office Action for Final Rejection as previously described.

14. In light of the forgoing arguments, the 35 U.S.C 102 rejection for Claims 1 –9 and 19-20, and the 35 U.S.C 103 rejection for Claims 10-11 is hereby sustained.

Conclusion

15. THIS ACTION IS MADE FINAL.

The Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is 571-272-3574 for faster service.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is 571-272-4114.

The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Art Unit: 2167

Kuen S. Lu


Patent Examiner

November 30, 2004



Luke Wassum

Primary Examiner

November 30, 2004